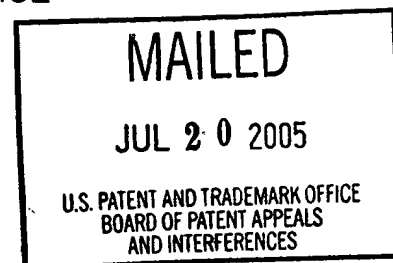


The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte DAVID C. PAUL, HANSJUERG W. EMCH, BEAT SCHENK,
MICHAEL L. BOYER II, and THOMAS B. HIGGINS

Appeal No. 2005-0921
Application 09/814,214

ORDER REMANDING TO EXAMINER

A Paper styled "Amendment after Appeal under 37 CFR § 1.116" was filed on or about July 7, 2005, which is after the filing of the Appeal Brief. The Amendment needs to be considered by the Examiner in accordance with 37 CFR § 41.33(b). A communication notifying applicants of the Examiner's decision is required.

It is also noted that this Paper arrived from a different address than what is on record, but from the same law firm of Jones Day. As a courtesy, this ORDER is being sent to the address given on the Paper. If there is to be a change of correspondence address, applicants need to formally file a request to that effect so that future correspondence would arrive at the appropriate address.

Appeal No. 2005-0921
Application 09/814,214

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Amendment, appropriate notification to the applicants, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____



CRAIG R. FEINBERG
Program and Resource Administrator

Brent P. Ray, Esq.
Jones Day
222 East 41st Street
New York, NY 10017